

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1-10, 12-29, 31, 32, 34-40 are pending in this application. Claims 1, 6, 9, 12, 14, 15, 20, 21, 22, 31 and 34 are amended. Claims 11, 30 and 33 are canceled. These changes are believed to introduce no new matter, and their entry is respectfully requested.

In the Office Action dated September 30, 2006, claims 1-11, 16-33 and 38-40 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Wilde, U.S. Patent No. 5,991,753 in view of Menage, U.S. Patent No. 6,618,736. Claims 12-15 and 34-35 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Wilde in view of Menage and further in view of Hay, U.S. Patent Publication No. 2002/0103904. Claims 36 and 37 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Wilde in view of Menage and further in view of Byrnes, U.S. Patent No. 6,832,249. Claims 1-40 stand rejected under 35 U.S.C. § 112 (second paragraph) as being allegedly indefinite.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Rejections under 35 U.S.C. § 112 (second paragraph)

The pending claims stand rejected based on indefinite recitation “private file.” The claims have been amended to delete the recitation of “private file.” Accordingly, withdrawal of the § 112 rejections is respectfully requested.

Rejections based on combination of Wilde, U.S. Patent No. 5,991,753 with Menage, U.S. Patent No. 6,618,736 and other references

The claims stand rejected based on Wilde in combination with Menage and other references. The amended claims recite that the file ID references the stub file, and that the stub file is an inaccessible file *stored in the corresponding private area of the Virtual Private Server* and used to reference a shared file. Support for the language of this amendment may be found, e.g., at paragraph [0024]. Wilde does not have stub file *stored in the private area of the Virtual Private Server*, and used to reference the shared file. The independent claims, as amended, recite that “*each VPS contains a group of processes of a common context.*” Support for this feature can be found, e.g., in paragraph [0073] of the specification. At least these aspects of the independent claims, as amended, are not disclosed by Wilde.

The independent claims, as amended, also recite that “*the stub files are stored in the corresponding private area of its VPS.*” This feature was a part of the dependent claims 11 and 30, now canceled.

(a) Menage fails to disclose Virtual Private Servers

With respect to this feature, the Final Office Action alleges that Menage discloses the stub files being stored in the private area of a Virtual Private Server in column 2, lines 54-56. A thorough consideration of the cited passage from Menage reveals no mention of any files being stored in a Virtual Private Server. In fact, no mention of Virtual Private Servers can be found in the above identified passage or elsewhere in Menage.

While Menage discloses virtual **processes**, Menage does not teach or suggest Virtual Private Servers or storing stub files in them.

The method of Menage is illustrated in Menage's FIG. 3. The Virtual Process accesses the private storage units and then, using an **external** usage map, accesses the shared storage units. The Virtual Private Servers, claimed by Applicants, are **real** processes (not virtual ones) that access the shared files based on a corresponding stub file residing within each Virtual Private Server. Nothing in Menage teaches or suggests that the private storage units or the usage map are stored anywhere within the Virtual Process. Thus, even if the Virtual Process of Menage were to be equated to the Virtual Private Servers (recited in the amended claims) – which it is not - and the stub files (recited in the amended claims) were to be equated to the private storage units of Menage – which they are not, the method of Menage would still be entirely different from the one claimed by Applicants.

(b) Menage fails to disclose a file ID based on a stub file corresponding to the shareable computer file

With respect to the feature of *“retrieving a file ID based on a stub file corresponding to the shareable computer file,”* recited in the independent claims, the Final Office Action also relies on Menage. The Final Office Action alleges that Menage discloses the stub file referenced by the file ID in column 9, lines 36-37. In reality, Menage does not disclose a correspondence between the file ID and the stub file. Menage deals with archiving data between storage units employing a usage map, which synchronizes the changes between the storage units. This method is entirely different

from the one claimed and disclosed, for example, in paragraph 0083 (see Applicants' specification). Furthermore, no mention of referencing between the file ID and the tab files can be found elsewhere in Menage.

Thus, Wilde and Menage, alone or in combination, do not teach or suggest that *"the file ID references the stub file."* Neither Wilde nor Menage teach or suggest that *"the stub files are stored in the corresponding private area of the corresponding Virtual Private Server."* Therefore, even a combination of Wilde and Menage does not disclose every element of amended independent claims, singly or in combination.

Accordingly, in view of the above discussion and the amendment to the claims, Applicants respectfully submit that all of the pending claims are allowable over any combination of Wilde and Menage with the other cited references.

Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

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